

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHANEL, INC.,

Plaintiff,

18 Civ. 2253 (LLS)

- against -

ORDER

WGACA, LLC, et al.,

Defendants.

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The issues raised in Chanel's (January 15, 27, February 16 and March 12, 2021) and WGACA's (January 22 and February 24 and 26, 2021) counsels' letters to the Court are resolved as follows:

1. Buy Forms

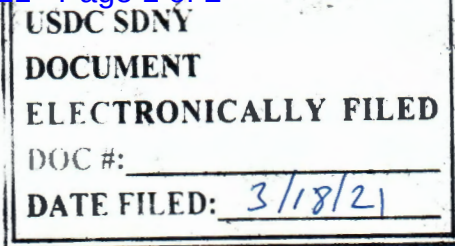
WGACA must produce buy forms for identified infringements. It may redact information revealing its sources, but if it does so, it may not be able to use those buy forms to prove first sale or overruns.

2. Data in electronic databases

WGACA must produce the data in its electronic databases for the identified items. WGACA may redact information revealing its sources, but if it does so, it may not be able to use that data to prove first sale or overruns.

3. The Etsy Sunglasses

If these sunglasses ("counterfeit" according to Chanel) are worth pursuing and WGACA has no further records, Chanel can try its luck with WGACA's credit card company.



WGACA must, however, produce Ms. Ambria Mische's proof that the pair WGACA sold was from eBay, not Etsy.

4. Authenticity documents regarding Chanel

WGACA's witness, with seeming knowledge, testified there were 50-100 such documents, but Chanel says only "a handful" have been produced. WGACA must resolve the discrepancy.

5. WGACA's wholesale agreements

If WGACA agreed to produce its agreements with Dillards, GAP and Banana Republic, it must do so. It may redact information revealing its sources, but if it does so, it may not be able to use the agreements to prove first sale or overruns.

6. Advertising and social media documents

The relevance of documents Chanel seeks related to these claims is too unclear to allow a judicial disposition.

7. WGACA's financial statements

Chanel is not presently entitled to an audit of WGACA's current overall operations and profitability.

8. Chanel's new witnesses

Chanel must give WGACA the full direct testimony of each new witness by April 9, 2021. Anything not thus disclosed will not be received in his or her testimony, or evidence offered in connection with it, at trial.

So ordered.

Dated: New York, New York  
March 18, 2020

Louis L. Stanton  
LOUIS L. STANTON  
U.S.D.J.